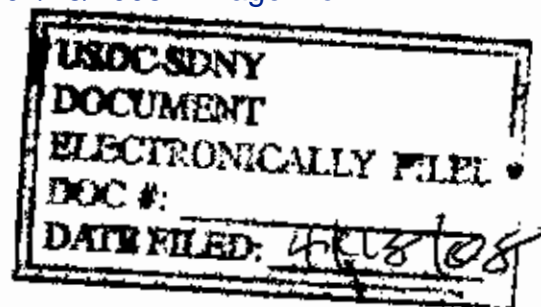


UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK



JERMIN COSTOR,

Plaintiff,

- against -

LISA SANDERS C.O. GARDINER,  
SGT. BERRY, LARRY HERNDERSON

Defendant.

**O R D E R**

07 Civ. 11311 (NRB)

NAOMI REICE BUCHWALD  
UNITED STATES DISTRICT JUDGE

The complaint in this action having been filed on December 17, 2007, and the Court having informed plaintiff's counsel by letter, dated March 20, 2008 of the obligation pursuant to Rule 4(m) of the Federal Rules of Civil Procedure to serve the summons and complaint within 120 days of filing, and no response to that letter having been received, and there being no evidence of service, it is hereby

ORDERED that the complaint be dismissed without prejudice.

DATED: New York, New York  
April 18, 2008

  
NAOMI REICE BUCHWALD  
UNITED STATES DISTRICT JUDGE